

### **REMARKS**

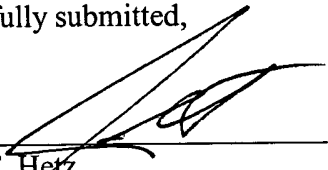
In the Office Action, the pending claims were rejected as being anticipated by or obvious in view of U.S. Patent No. 5,970,372 to Hart et al. Those claims used the terms “vertical” and “3-D” and were rejected in view of the teaching in Hart et al. that memory cells are connected to vertical column lines and horizontal row lines (see col. 10, lines 10-13). Although the term “vertical” is used in Hart et al., the memory cells described therein are arranged in a conventional two-dimensional fashion. That is, the terms “vertical” and “horizontal” merely refer to the “north-south” and “east-west” directions of a single layer of memory cells. Hart et al. does not use the term “vertical” in referring to a three-dimensional array in which memory cells are arranged in a plurality of layers stacked vertically above one another.

In this Amendment, Applicants have amended each of the pending independent claims (Claims 95, 107, 116, 120, 122, 123, and 125) to clarify what is meant by the terms “vertical” and “3-D.” Specifically, the claims have been amended to recite that a 3-D memory comprises a plurality of layers of memory cells stacked vertically above one another. Since the claims now recite that the memory cells are stacked above one another, the recited inventions are clearly different from Hart et al., which teaches that memory cells are arranged on a single layer and are not stacked above one another.

In view of the clarification made to the claims, Applicants respectfully submit that the current rejections should be withdrawn and this application should be passed to allowance. If the Examiner has any questions concerning this Amendment, he is asked to contact the undersigned attorney at (312) 321-4719.

Dated: November 13, 2003

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. F. Hetz', is written over a horizontal line.

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